



Oneida Business Committee

Regular Meeting

9 a.m. Wednesday, March 27, 2013
BC Conference Room, 2nd floor, Norbert Hill Center

Minutes

Present: Vice Chairman Greg Matson, Secretary Patty Hoeft, Council members Melinda J. Danforth, Vince DelaRosa, David Jordan, Brandon Stevens; **Not present:** Tina Danforth, Ed Delgado, Paul Ninham; **Others present:** Debbie Danforth, Twylite Moore, Barb Skenandore, Jeff Mears, Fred Muscavitch, Ravinder Vir, Anita Barber, Sandra Reveles, Marj Stevens, Matt Denny, Jennifer Hill-Kelley, Michele Doxtator, Elaine Reed-Doxtator

I. Call to Order and Roll Call by Vice Chairman Greg Matson at 9:00 a.m.

II. Opening by Jamison King

III. Approve the agenda

Motion by Vince DelaRosa to approve the agenda with the following changes: additions to open session 1.

Request for a meeting from Lac Du Flambeau regarding gaming in Shullsburg 2. Resolution to support College of Menominee Nation submitting a proposal to the U.S. Dept. of Education; additions to executive session 1. Update regarding compliance enforcement matter 2. Letter from the President of the Village of Hobart Board, seconded by Melinda J. Danforth. Motion carried unanimously:

Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan

Not present: Tina Danforth, Ed Delgado, Paul Ninham, Brandon Stevens

IV. Oaths of Office administered by Secretary Patty Hoeft

1. **Oneida Audit Committee Community Tribal member seat** – James R. Skenandore Jr. (not present)

2. **Oneida Library Board** – Danielle White (not present)

3. **Oneida Personnel Commission** – Gary Smith

V. Minutes to be approved

1. **June 7, 2012 special minutes**

Motion by David Jordan to approve June 7, 2012 special minutes, seconded by Melinda J. Danforth. Motion carried unanimously:

Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan

Not present: Tina Danforth, Ed Delgado, Paul Ninham, Brandon Stevens

2. **March 13, 2013 regular minutes**

Motion by David Jordan to approve March 13, 2013 regular minutes, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan

Not present: Tina Danforth, Ed Delgado, Paul Ninham, Brandon Stevens

VI. Resolutions

1. **Appointment of Kathy Hughes to the Boards of the Brown County and Outagamie County Aging and Disability Resource Centers**

Sponsor: Dr. Vir/Debbie Danforth

Motion by Patty Hoeft to adopt resolution 03-27-13-A Appointment of Kathy Hughes to the Boards of the Brown County and Outagamie County Aging and Disability Resource Centers, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan

Not present: Tina Danforth, Ed Delgado, Paul Ninham, Brandon Stevens

VII. Reports

1. **Comprehensive Health Division** – Dr. Vir/Debra Danforth

Motion by David Jordan to approve Comprehensive Health Division report, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens

Not present: Tina Danforth, Ed Delgado, Paul Ninham
*Brandon Stevens arrived at 9:10 a.m.

2. Development Division – Butch Rentmeester

Motion by Vince DelaRosa to approve Development Division report, seconded by David Jordan. Motion carried unanimously:

Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens

Not present: Tina Danforth, Ed Delgado, Paul Ninham

3. Land Management Division – Fred Muscavitch

Motion by David Jordan to approve Land Management Division report, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens

Not present: Tina Danforth, Ed Delgado, Paul Ninham

VIII. Boards, Committees and Commissions

A. Appointments

1. Post one Oneida Airport Hotel Corporation vacancy

Motion by David Jordan to approve posting one Oneida Airport Hotel Corporation vacancy, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens

Not present: Tina Danforth, Ed Delgado, Paul Ninham

B. Quarterly reports

1. Oneida Election Board – Vicki Cornelius, Chairwoman

Motion by David Jordan to approve Oneida Election Board quarterly report, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens

Not present: Tina Danforth, Ed Delgado, Paul Ninham

2. Oneida Police Commission – Bernie John-Stevens, Chairman

Motion by Vince DelaRosa to accept Oneida Police Commission quarterly report, seconded by David Jordan. Motion carried unanimously:

Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens

Not present: Tina Danforth, Ed Delgado, Paul Ninham

3. Oneida Library Board – Carol Elm, Chairwoman

Motion by Patty Hoeft to accept Oneida Library Board quarterly report, seconded by David Jordan. Motion carried unanimously:

Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens

Not present: Tina Danforth, Ed Delgado, Paul Ninham

IX. Standing Committees

A. Legislative Operating Committee – Melinda J. Danforth, Chairwoman

1. March 6, 2013 LOC meeting minutes

Motion by Melinda J. Danforth to approve March 6, 2013 LOC meeting minutes, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens

Not present: Tina Danforth, Ed Delgado, Paul Ninham

2. Adopt resolution: Adoption of the Indian Preference in Contracting Law

Motion by Melinda J. Danforth to adopt resolution 03-27-13-B Adoption of the Indian Preference in Contracting Law, with the understanding that as you progress in implementing this law if there are fiscal needs that arise, those issues will be brought to the Business Committee, seconded by Patty Hoeft. Motion carried unanimously:

Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens

Not present: Tina Danforth, Ed Delgado, Paul Ninham

B. Finance Committee – Treasurer Tina Danforth, Chairwoman

1. March 22, 2013 Finance Committee meeting minutes

Motion by David Jordan to approve March 22, 2013 Finance Committee meeting minutes, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens

Not present: Tina Danforth, Ed Delgado, Paul Ninham

C. Community Development Planning Committee – Vince DelaRosa, Chairman

1. March 11, 2013 special meeting minutes

Motion by David Jordan to approve March 11, 2013 special meeting minutes, seconded by Patty Hoeft. Motion carried unanimously:

Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens

Not present: Tina Danforth, Ed Delgado, Paul Ninham

D. Quality of Life – Paul Ninham, Chairman

X. General Tribal Council

1. Petitioner Kerry Danforth: Rescind, repeal Oneida child placement, visitation, support, paternity laws – Approve legislative analysis memo

Excerpt from March 13, 2013: Motion by Paul Ninham to defer Petitioner Kerry Danforth: Rescind, repeal Oneida child placement, visitation, support, paternity laws to the March 27, 2013 Business Committee meeting, seconded by Melinda J. Danforth. Motion carried unanimously.

Motion by David Jordan to defer Petitioner Kerry Danforth: Rescind, repeal Oneida child placement, visitation, support, paternity laws for 30 days, seconded by Patty Hoeft. Motion carried unanimously:

Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens

Not present: Tina Danforth, Ed Delgado, Paul Ninham

2. Petitioner Leah Sue Dodge: Prohibit building gasification, waste-to-energy, recycling facility on reservation – Approve legislative analysis memo

Motion by Melinda J. Danforth to approve the memo as FYI, seconded by Patty Hoeft. Motion carried unanimously:

Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens

Not present: Tina Danforth, Ed Delgado, Paul Ninham

XI. Unfinished Business

XII. New Business/Requests

1. Approve Tribal Environmental Agreement with U.S. Environmental Protection Agency

Sponsor: Melinda J. Danforth

Motion by David Jordan to approve Tribal Environmental Agreement with U.S. Environmental Protection Agency, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens

Not present: Tina Danforth, Ed Delgado, Paul Ninham

2. Approve rescheduling April 9, 2013 Business Committee executive session to April 8, 2013

Sponsor: Paul Ninham

Motion by David Jordan to approve rescheduling April 9, 2013 Business Committee executive session to April 8, 2013, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens

Not present: Tina Danforth, Ed Delgado, Paul Ninham

3. Plan Oneida Hall of Fame Law implementation

Sponsor: Vince DelaRosa

Motion by Vince DelaRosa to direct the Governmental Services Director to bring back a plan within 30 days to implement the Hall of Fame law, seconded by Melinda J. Danforth. Motion carried unanimously:

Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens

Not present: Tina Danforth, Ed Delgado, Paul Ninham

4. Approve hosting Yocha Dehe Wintun Nation Council and representatives April 17-18, 2013

Sponsor: Paul Ninham

Motion by Vince DelaRosa to approve hosting Yocha Dehe Wintun Nation Council and representatives April 17-18, 2013, seconded by David Jordan. Motion carried unanimously:

Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens

Not present: Tina Danforth, Ed Delgado, Paul Ninham

XIII. Travel

A. Travel Reports

1. Medicare, Medicaid and Health Reform Policy Committee (MMPC) & Tribal Technical Advisory Group (TTAG), Feb. 18-20, 2013, Washington, DC

Sponsor: Melinda J. Danforth

Motion by David Jordan to approve the travel report, seconded by Vince DelaRosa. Motion carried with one abstention:

Ayes: Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens

Abstained: Melinda J. Danforth

Not present: Tina Danforth, Ed Delgado, Paul Ninham

B. Travel Requests

1. Cultural Heritage Department: Procedural exception to allow five staff travel to Kanien'keha-ka Onkwawen-na Raotitohkwa Language Center, April 7-13, 2013, Ontario, Canada

Sponsor: Don White

Motion by Melinda J. Danforth to approve the procedural exception to allow five staff travel to Kanien'keha-ka Onkwawen-na Raotitohkwa Language Center, April 7-13, 2013, Ontario, Canada, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens

Not present: Tina Danforth, Ed Delgado, Paul Ninham

2. Retro approve South Eastern Oneida Tribal Services briefing session travel, Feb. 8-9, 2013, Milwaukee, WI

Sponsor: Vince DelaRosa

Motion by David Jordan to retro approve South Eastern Oneida Tribal Services briefing session travel, Feb. 8-9, 2013, Milwaukee, WI, seconded by Melinda J. Danforth. Motion carried unanimously:

Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens

Not present: Tina Danforth, Ed Delgado, Paul Ninham

3. Tribal Internet Gambling Seminar, April 18-19, 2013, Scottsdale, AZ

Sponsor: Brandon Stevens

Motion by David Jordan to approve travel to Tribal Internet Gambling Seminar, April 18-19, 2013, Scottsdale, AZ, seconded by Vince DelaRosa. Motion carried with one abstention:

Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan

Abstained: Brandon Stevens

Not present: Tina Danforth, Ed Delgado, Paul Ninham

4. Approve full Business Committee travel to 9th Annual State of the Tribes Address, April 9, 2013, Madison, WI

Sponsor: Paul Ninham

Motion by Patty Hoeft to approve any member of the Business Committee to travel to Madison with an overnight stay to attend the 9th Annual State of the Tribes Address, April 9, 2013, Madison, WI, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens

Not present: Melinda J. Danforth, Tina Danforth, Ed Delgado, Paul Ninham

For the record: David Jordan stated I will not be attending.

5. Retro approve Indigenous Empowerment Summit, April 11-12, 2013, Lawrence, KS

Sponsor: Brandon Stevens

Motion by Patty Hoeft to retro approve travel to Indigenous Empowerment Summit, April 11-12, 2013, Lawrence, KS, seconded by Vince DelaRosa. Motion carried with one abstention:

Ayes: Vince DelaRosa, Patty Hoeft, David Jordan

Abstained: Brandon Stevens

Not present: Melinda J. Danforth, Tina Danforth, Ed Delgado, Paul Ninham

XIV. Additions

1. Lac Du Flambeau request for a meeting regarding gaming in Shullsburg

Sponsor: Ed Delgado

Motion by Vince DelaRosa to approve the request and the scheduling be handled by the Secretary, Vice Chair and Chairman's offices, seconded by David Jordan. Motion carried unanimously:

Ayes: Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens

Not present: Melinda J. Danforth, Tina Danforth, Ed Delgado, Paul Ninham

2. Support College of Menominee Nation submitting a proposal to the U.S. Dept. of Education

Sponsor: Ed Delgado

Motion by Vince DelaRosa to adopt resolution 03-27-13-C Support the College of Menominee Nation submitting a proposal to the U.S. Department of Education to support career and technical programs that will serve and benefit members of the Oneida Tribe, with the noted change, seconded by Patty Hoeft. Motion carried unanimously:

Ayes: Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens

Not present: Melinda J. Danforth, Tina Danforth, Ed Delgado, Paul Ninham

XV. Action in open session on items from Executive Session Discussion meeting of March 26, 2013

A. Reports

1. Chief Counsel report – Jo Anne House

Motion by David Jordan to accept Chief Counsel report, seconded by Brandon Stevens. Motion carried with one abstention:

Ayes: Patty Hoeft, David Jordan, Brandon Stevens

Abstained: Vince DelaRosa

Not present: Melinda J. Danforth, Tina Danforth, Ed Delgado, Paul Ninham

For the record: Vince Delarosa stated I abstained because I was not present at the session yesterday.

Motion by David Jordan to approve transferring responsibility for conducting background investigations for Pardon and Forgiveness Law to the Human Resources Department consistent with the draft SOP's of the Pardon and Screening Committee and directing the Secretary's Office to assist in notifying the Pardon and Screening Committee of this change, seconded by Patty Hoeft. Motion carried with one abstention:

Ayes: Patty Hoeft, David Jordan, Brandon Stevens

Abstained: Vince DelaRosa

Not present: Melinda J. Danforth, Tina Danforth, Ed Delgado, Paul Ninham

Motion by David Jordan to approve sending the correspondence to the Oneida Gaming Commission, seconded by Patty Hoeft. Motion carried unanimously:

Ayes: Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens

Not present: Melinda J. Danforth, Tina Danforth, Ed Delgado, Paul Ninham

Motion by David Jordan to approve the draft Attorney Contract for the Family Court Commissioner, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens

Not present: Melinda J. Danforth, Tina Danforth, Ed Delgado, Paul Ninham

Motion by David Jordan to authorize the Notice of Vacancy to be posted and direct the Chief Counsel to draft the Standard Operating Procedure regarding appointment process for approval by the Oneida Business Committee, seconded by Patty Hoeft. Motion carried unanimously:

Ayes: Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens

Not present: Melinda J. Danforth, Tina Danforth, Ed Delgado, Paul Ninham

Motion by David Jordan to approve the recommend salary for this position as identified in the Chief Counsel report, seconded by Patty Hoeft. Motion carried with one abstention:

Ayes: Patty Hoeft, David Jordan, Brandon Stevens

Abstained: Vince DelaRosa

Not present: Melinda J. Danforth, Tina Danforth, Ed Delgado, Paul Ninham

2. Legislative Affairs monthly report – Nathan King

Motion by Patty Hoeft to approve Legislative Affairs monthly report, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens

Not present: Melinda J. Danforth, Tina Danforth, Ed Delgado, Paul Ninham

Motion by Patty Hoeft to direct Legislative Affairs to begin work on developing a plan for the State Biennium Budget Segregated Gaming Account recommendation, seconded by David Jordan. Motion carried unanimously:

Ayes: Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens

Not present: Melinda J. Danforth, Tina Danforth, Ed Delgado, Paul Ninham

B. Audit Committee – Councilman Brandon Stevens, Chairman

C. Unfinished Business/BC directives

D. New Business/Requests

1. Approve limited waiver of sovereign immunity for S. Abraham and Sons contract

Sponsor: Michele Doxtator

Motion by Patty Hoeft to approve the limited waiver of sovereign immunity in the S. Abraham and Sons contract, #2013-0105, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens

Not present: Melinda J. Danforth, Tina Danforth, Ed Delgado, Paul Ninham

2. Green Bay Packers marketing performance update

Sponsor: Joanie Buckley

Motion by Patty Hoeft to accept the report, seconded by David Jordan. Motion carried unanimously:

Ayes: Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens

Not present: Melinda J. Danforth, Tina Danforth, Ed Delgado, Paul Ninham

Motion by Patty Hoeft to request the Chief Financial Officer to identify the appropriate Finance Department personnel to manage the issue of appropriate reporting on gratuities and give aways by the divisions and departments of the Tribe, seconded by David Jordan. Motion carried unanimously:

Ayes: Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens

Not present: Melinda J. Danforth, Tina Danforth, Ed Delgado, Paul Ninham

3. Workplace violence update

Sponsor: Vince Delarosa

Motion by Patty Hoeft to forward to the LOC that it is the opinion of the Business Committee, that a comprehensive workplace violence policy needs to be developed and we ask that they begin this, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens

Not present: Melinda J. Danforth, Tina Danforth, Ed Delgado, Paul Ninham

E. Additions

1. Compliance enforcement

Sponsor: Brandon Stevens

Motion by Brandon Stevens to accept the compliance enforcement issue as FYI, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens

Not present: Melinda J. Danforth, Tina Danforth, Ed Delgado, Paul Ninham

2. Update on letter distributed by the Hobart Village President

Sponsor:

Motion by David Jordan to accept the letter as FYI, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens

Not present: Melinda J. Danforth, Tina Danforth, Ed Delgado, Paul Ninham

Motion by David Jordan to go into executive session at 11:01 a.m., seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens

Not present: Melinda J. Danforth, Tina Danforth, Ed Delgado, Paul Ninham

Motion by Brandon Stevens to come out of executive session at 11:42 a.m., seconded by Vince DelaRosa.

Motion carried unanimously:

Ayes: Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens

Not present: Melinda J. Danforth, Tina Danforth, Ed Delgado, Paul Ninham

II. Adjourn

Motion by David Jordan to adjourn at 11:43 a.m., seconded by Patty Hoeft. Motion carried unanimously:

Ayes: Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens

Not present: Melinda J. Danforth, Tina Danforth, Ed Delgado, Paul Ninham

 Minutes Approved as presented/corrected on April 10, 2013.

Patricia Hoeft, Tribal Secretary
ONEIDA BUSINESS COMMITTEE